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8 Attorneys for Plaintiffs

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

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13 IN RE: BEXTRA AND CELEBREX
14 MARKETING, SALES PRACTICES
15 AND PRODUCTS LIABILITY
16 LITIGATION

} Case No. M:03-CV-01699-CRB

} MDL No. 1699

} JUDGE BREYER

17 This document relates to:

18 **DENNIS EILENSTINE**
19 **KATHY EILENSTINE**
20 **Individual Case No. 3:06-cv-00239-CRB**

} **STIPULATION AND ORDER OF**
21 **DISMISSAL ONLY AS TO CASE**
22 **NUMBER CV 05-6391-SJO,**
23 **ORIGINALLY FILED IN THE**
24 **CENTRAL DISTRICT OF**
25 **CALIFORNIA**

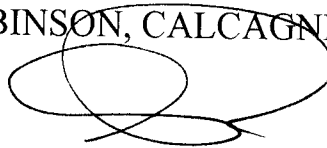
26 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel
27 for Plaintiffs and counsel for Defendants that the Complaint of Plaintiffs Dennis
28 Eilenstine and Kathy Eilenstine, Case Number CV 05-6391-SJO (a "Celebrex"
case), originally filed in the Central District of California on August 26, 2005 and
later transferred to MDL No. 1699, *In Re: Bextra and Celebrex, Marketing, Sales*
Practices and Products Liability Litigation, with the assigned individual case
number 3:06-cv-00239-CRB, may be and is hereby dismissed without prejudice.

1 The parties hereby stipulate that Plaintiffs will proceed in the MDL only
2 through the California action, and jurisdiction and venue for the trial of the action
3 will be proper in whichever of the following is selected by Pfizer: San Francisco,
4 Los Angeles, Missouri.

5 The parties shall each bear their own costs.

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7 Dated: May 8, 2006

ROBINSON, CALCAGNIE & ROBINSON



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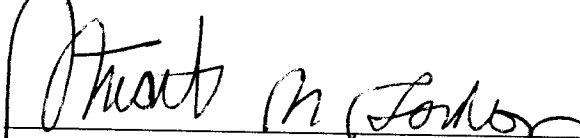
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20 *Counsel for Plaintiffs*

21 DENNIS & KATHY EILENSTINE

22
23 Dated: May 15, 2006

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Defendants' Liaison Counsel

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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4 Dated: May 18, 2006

5 HONORABLE CHARLES R. BREYER

